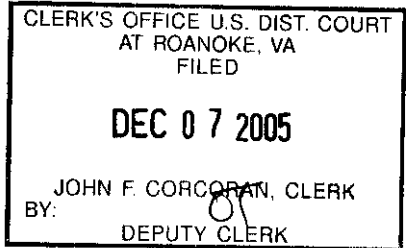


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



LARRY RAY JOHNSON,
Petitioner,

v.

TRACY S. RAY, et al.,
Respondent.

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Civil Action No. 7:05-CV-00722

FINAL ORDER

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is now

ORDERED

as follows:

1. To the extent that Johnson seeks the restoration of lost good time credits, Johnson's petition for writ of habeas corpus under 28 U.S.C. § 2254 shall be and hereby is dismissed without prejudice for failure to exhaust available state court remedies; and
2. To the extent that Johnson's petition sets forth a civil rights action under 42 U.S.C. § 1983, it shall be and hereby is dismissed without prejudice pursuant to 28 U.S.C. § 1915(g).

The Clerk is directed to strike the petition from the active docket of the court. The Clerk is further directed to send a certified copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 6th day of December, 2005.

[Signature]

United States District Judge